

ORDINANCE NO. 1845

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE CHAPTER 13.20, "ELECTRICAL SERVICE," BY REPEALING AND RE-ENACTING SECTION 13.20.315, "SCHEDULE EDR-ECONOMIC DEVELOPMENT RATES," IN ITS ENTIRETY

BE IT ORDAINED BY THE LODI CITY COUNCIL **AS** FOLLOWS:

SECTION 1. Lodi Municipal Code Section 13.20.315, Schedule EDR-Economic Development Rates, is hereby repealed and re-enacted in its entirety to read as follows:

- A. New Business Rate Discount – NBR Discount, applicable to any new commercial or industrial customer that locates their operations/business that receives electric utility service from the City of Lodi, with the following stipulations: a customer assigned to the G1 electric utility rate shall receive a discount for twelve consecutive months of 15%; a customer assigned to the G2 electric utility rate shall receive a discount for twelve consecutive months of 10%, and for commercial customers assigned to the G3, G4, G5, or I1 electric utility rate shall receive a discount for twelve consecutive months of 5% for twelve consecutive months; and

This discount may not be combined with any other electric discount or rate and shall only apply to the base rate. Surcharges including but not limited to the California Energy Commission fee, Solar Surcharge, Public Benefits charge, State Energy Tax, and other assessments or charges after the date of this rate schedule shall not be subject to this discount.

- B. New Jobs Rate Discount – NJR Discount, applicable to any commercial or industrial customer that adds a minimum of two (2) full-time positions, and retains those positions for at least twelve consecutive months, with the following stipulation: a 1% discount shall be applied for every full-time position added, capped at 15% total discount for a total of twelve consecutive months; and

This discount may not be combined with any other electric discount or rate and shall only apply to the base rate. Surcharges including but not limited to the California Energy Commission fee, Solar Surcharge, Public Benefits charge, State Energy Tax, and other assessments or charges after the date of this rate schedule shall not be subject to this discount.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

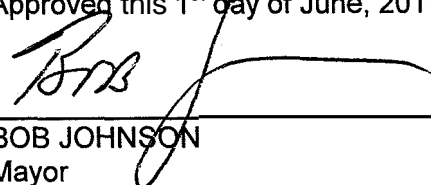
SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.


SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect 30 days from and after its passage and approval.

SECTION 6. The Rate Schedules referenced above shall be effective on applicable electric utility billings prepared by the City of Lodi on or after July 1, 2011, and said utility rate discounts shall expire on June 30, 2013.

Approved this 1st day of June, 2011


BOB JOHNSON
Mayor

ATTEST:

RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1845 was introduced at a regular meeting of the City Council of the City of Lodi held May 18, 2011, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held June 1, 2011, by the following vote:

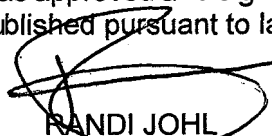
AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, Nakanishi, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

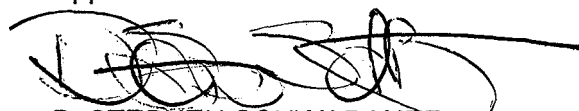
ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1845 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


RANDI JOHL
City Clerk

Approved to Form:


D. STEPHEN SCHWABAUER
City Attorney